



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,935	10/22/2003	Robert J. Lee	1875.3480001	4010
26111 7590 01/15/2009 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER SAMUEL, DEWANDA A				
ART UNIT		PAPER NUMBER		
2416				
MAIL DATE		DELIVERY MODE		
01/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/689,935

Applicant(s)

LEE, ROBERT J.

Examiner

DEWANDA SAMUEL

Art Unit

2416

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 and 18 is/are allowed.
- 6) ☒ Claim(s) 19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This communication is responsive to the communication filed 10/23/2008
2. Claims 1-16 and 18-20 are pending claim 17 was cancelled.

Response to Arguments

3. Applicant's arguments with respect to claim 19 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over Eng (US Patent 5,963,557) in view of Rakib (US patent 7,298,762) and (Mobley (US Patent 7,218,901).

With regard to claim 19, a system for transmitting indication of an event, comprising: a media access controller asserting a sync vector after receiving a grant(**Eng discloses having a subscriber station 150 comprised of a media access controller 162 interpreted as a “media access controller”, see col. 12 line 49. Eng**

further discloses receiving an grant control packet interpreted as " a grant" see col. 16 lines 6-8); and a serial packet sync encoder that encodes a serial packet sync datastream,(Eng discloses having a encoder 176, see fig. 10A); said serial packet sync datastream comprised of said packet sync vector and a preamble,(Eng discloses having a MPEG-2 transport packet ("packet sync datastream") comprised of synchronization word interpreted as a "sync vector", see col. 13lines 31-33).

However, Eng does not discloses a wherein said serial packet sync encoder comprises a serial packet sync transmitter that transmits said serial packet sync, (**Rakib discloses having a method for sharing an upstream among multiple downstreams, see title. Rakib further discloses error correction encoding and transmitter 62 transmitting, see col. 8 lines 50-58).**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate a transmitter along with a encoding mechanism as taught by Rakib into Eng system providing a maximum utilization of the equipment whereby reducing cost.

The combination of Eng and Rakib does not discloses having datastream on a single pin, (**Mobley discloses having a transport modem termination system (TMTS) 215 comprises a transceiver connected to interfaces crossing pins 1 and 3 , see col. 16 lines 15-20. Mobley further discloses a mux 4432 and demux 4434 input signal**

through a smaller number of interface pins on a chip, see col. 75 lines 41-45). it is inferred the data that is transmitted will be transmitted on a reduced number of pins.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate reduced pins as Mobley into the modified system of Eng in combination with Rakib providing a maximum utilization of the equipment whereby reducing cost .

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eng (US patent 7,194,009) in view of (Mobley (US Patent 7,218,901) and Bernath et al. (US Patent 6,629,288).

With regard to claim 20, a system for receiving indication of an event, comprising: a serial packet sync receiver that receives a serial packet sync, **(Eng discloses having a Full -Service cable modem comprised of a DPC1 downstream receiver 420 ("packet sync receiver") receiving RF signal 412 on a single link ... the RF signal is a MPEG-2 transport stream TS1 ("packet sync datastream" column 5 line 52-67).**

However, Eng does not discloses having datastream on a single pin, **(Mobley discloses having a transport modem termination system (TMTS) 215 comprises a transceiver connected to interfaces crossing pins 1 and 3 , see col. 16 lines 15-**

20. Mobley further discloses a mux 4432 and demux 4434 input signal through a smaller number of interface pins on a chip, see col. 75 lines 41-45). it is inferred the data that is transmitted will be transmitted on a reduced number of pins.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate reduced pins as Mobley into Eng system providing a maximum utilization of the equipment whereby reducing cost .

The combination of Eng and Mobley does not disclose having a preamble comparator that compares said received serial packet sync datastream to determine if said received serial packet sync datastream matches a preamble and a holding register for holding a packet sync vector included in said serial packet sync datastream, **(Bernath et al. discloses receiving a transport-layer frame ("packet sync datastream") and extracting the header information ("preamble") and comparing the header information (column 7 line 65-67 and column 8 line 1-24). Bernath et al. further discloses data is provided to the data register 104 (Holding register", column 8 line 48).**

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate comparing mechanism that is taught by Bernath et al. into the modified system of Eng in combination of Mobley analyzing

headers from different data whereby providing a technique that is efficiently processing data.

Allowable Subject Matter

6. **Claims 1-16 and 18** are allowed.

Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chapman et al. (US Patent 6,21,812)

Beser (US Patent 6,807,193)

Khaunte et al. (US Patent 6,956,865)

Nazarathy et al. (US Patent 6,490,727)

Moore et al. (US Patent 6,807,195)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEWANDA SAMUEL whose telephone number is (571)270-1213. The examiner can normally be reached on Monday- Thursday 8:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art
Unit 2416

/DeWanda Samuel/
Examiner, Art Unit 2416
1/14/2009